



## Austin City Council MINUTES

OCTOBER 20, 1994 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Mayor Pro Tem Nofziger.

### MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of October 6, 1994 and Special Meetings of May 9, 1994 and October 5, 1994

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Roger Baker, to discuss matters arising.
3. Mr. Shaun Stenshol, to discuss how the South Texas Nuclear Plant is sucking the life-blood out of all creatures great and small, and the transition to a solar energy society.
4. Mr. Dave Schroeder, to discuss O3 Alerts (excess ozone).
5. Mr. John Schroeder, to discuss the need for the City to prepare a 20 year water quality study.
6. Ms. Della Green, to discuss City services in East Austin.  
Not present
7. Mr. Robert Thomas, to discuss parks programs.
8. Mr. Gus Pena, to discuss East Austin crime issues, transients and community issues.
9. Mr. Joe Quintero, to discuss the soup kitchen on San Marcos and Cesar Chavez Streets, crime, and the day labor situation.
10. Mrs. Darlene Rosales, to discuss the day labor problem, soup kitchen on Cesar Chavez and San Marcos Streets and crime.  
Vickie Gomez spoke on behalf of Darlene Rosales
11. Dr. Elizabeth Morgan, Ph.D., to thank Council for refunding Connections.

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve second/third readings of the Campaign Finance Reform Ordinance. (Councilmembers Brigid Shea and Gus Garcia, and Mayor Pro Tem Michael "Max" Nofziger)

2nd reading approved to include amendments and refer to Ethics Review Commission on Councilmember Shea's motion, Councilmember Goodman's second, 4-2 vote, Councilmembers Mitchell and Reynolds voting No, Mayor Pro Tem Nofziger absent.

13. Approve an ordinance granting a one-time waiver of Capital Recovery Fees in the amount of \$7,848 for connection of water service at South Austin Youth Soccer Association. (Councilmembers Eric Mitchell, Ronney Reynolds and Jackie Goodman)  
Deleted
14. Direct the City Manager to work with the Planning Commission to develop an implementation plan for the Central Urban Redevelopment (CURE) Proposal. (Councilmembers Eric Mitchell and Ronney Reynolds)  
Postponed
15. Approve the designation of Butler Fields 1 and 2, and Williams Field for Girls Softball League activities only. (Councilmember Eric Mitchell)  
Postponed until November 3, 1994

#### ORDINANCES

16. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as McKinney Falls Parkway, Case No. C14-94-0058, from "DR", Development Reserve to "IP-CO", Industrial Park-Conditional Overlay, LEN H. LAYNE, by Ann M. Anderson. First reading on June 23, 1994; Vote 6-0, Councilmember Reynolds absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. Ordinance No. 941020-A approved
17. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2711-D East Cesar Chavez Street, Case No. C14-94-0118, from "CS-1", Commercial Liquor Sales to "CS", Commercial Services, CITY OF AUSTIN, by the Department of Planning and Development. First reading on September 29, 1994; Vote 7-0. Conditions met as follows: No conditions to be met. Ordinance No. 941020-B approved
18. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as U.S. Hwy. 290 East and U.S. Hwy. 183 East, Case No. C14-94-0003, from "I-RR", Interim Rural Residence to "W/LO", Warehouse Limited Office and "LI-CO", Limited Industrial Services-Conditional Overlay, M.V. WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust). First reading on April 7, 1994; Vote 6-0,

Councilmember Urdy absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. The Restrictive Covenant incorporating conditions imposed by Council has been executed.  
Ordinance No. 941020-C approved

19. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-5 (C) Speed Limits, to establish a 45 mph speed limit on West William Cannon Drive from U.S. 290 West to Southwest Parkway. (Funding in the amount of \$395 for signs is available in the 1994-95 operating budget of the Public Works and Transportation Department.)  
Ordinance No. 941020-D approved
20. Approve third reading to amend Ordinance No. 891102-C granting Yellow Checker Cab Company a taxicab franchise by changing the name from Yellow Checker Cab Company to Yellow Cab Company. (No fiscal impact.) [Recommended by Urban Transportation Commission]  
Ordinance No. 941020-E approved
21. Approve first reading of an ordinance to renew the Yellow Checker Cab Company, Inc., dba Yellow Cab Company taxicab franchise. (Taxicab permit fee of \$400 per year per permit. Expected annual revenue is \$56,000.)  
Approved
22. Approve first reading of an ordinance renewing the Roy's Taxi, Inc., taxicab franchise. (Taxicab permit fee of \$400 per year per permit. Expected annual revenue is \$30,000.)  
Approved
23. Amend Ordinance No. 940912-A, the Water and Wastewater Retail Service Rate Ordinance to correct administrative errors. (No fiscal impact.) [Recommended by the Water and Wastewater Commission]  
Ordinance 941020-F approved
24. Approve the release of approximately 570 acres of the City of Austin's extra territorial jurisdiction to the City of Pflugerville's jurisdiction. (No fiscal impact.)  
Ordinance No. 941020-G approved

Items 16-24 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

25. Approve the selection of a name for the New Airport as recommended by the Airport Advisory Board: Stephen F. Austin International Airport, Bergstrom International Airport, or Austin-Bergstrom International Airport) [No fiscal impact.]  
Postponed until November 3, 1994
26. Amend Ordinance No. 940912-D, the 1994-95 operating budget, by reducing the General Fund Contingency Reserve by \$154,003 and increasing the appropriation for

the Planning and Development Department operating budget in an amount not to exceed \$154,003 to fund the repayment of ineligible expenditures of the Community Development Block Grant program to the U. S. Department of Housing and Urban Development. (Related to Item 31)

Ordinance No. 941020-B approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

27. Amend Ordinance No. 940912-D, the 1994-95 operating budget, by appropriating \$50,000 in music loan funds in the Department of Planning and Development's Special Revenue Fund. (Recommended by the Music Commission) [Related to Item 30]  
Deleted
28. Amend Ordinance No. 940912-E, the 1994-95 Capital Budget, by reducing the Contingency Fund FY 95 Project by \$54,419 and increasing the appropriation of the 1994-95 Capital budget for the Parks and Recreation Department by \$54,419 for the Zilker Hillside Theatre. (Related to Item 29)  
Ordinance No. 941020-I approved

#### RESOLUTIONS

29. Authorize a construction contract award to CH ENTERPRISES, Austin, Texas, for renovations to the Zilker Hillside Theatre, in the amount of \$389,419. (Funding in the amount of \$329,419 was included in the 1994-95 Capital budget and \$60,000 was included in the 1993-94 approved Capital budget of the Parks and Recreation Department. Low bid of two (2). 21.68% MBE, 1.31% WBE Subcontractor participation. (Related to Item 28)  
Approved

Items 28-29 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

30. Authorize negotiation and execution of an agreement with KLRU-TV for tourism promotional services including messages for broadcast on each show of Austin City Limits' 1995 season, in an amount not to exceed \$50,000. (Funding is available in the Special Revenue Fund of the Planning and Development Department.) (Related to Item 27)  
Deleted
31. Approve the repayment to the U.S. Department of Housing and Urban Development as a result of ineligible expenditures made under the Community Development Block Grant program, in an amount not to exceed \$154,003. (Funding is available in the 1994-95 operating budget of the Planning and Development Department.) (Related to Item 26)  
Approved

32. Approve amendments to the City of Austin's federally funded Single Family Loan program guidelines. (No fiscal impact.) [Recommended by the Community Development Commission.]  
Approved
33. Approve amendments to the City of Austin's federally funded Neighborhood Commercial Management and Multifamily Program guidelines. (No fiscal impact.) [Recommended by the Community Development Commission.]  
Approved
34. Approve execution of a contract award with PRISM DEVELOPMENT, INC., Austin, Texas, for construction of Accessibility Improvements at Northwest Pool and Park, located at 7000 Ardath, in the amount of \$83,898.43. (Funding was included in the 1994-95 Capital budget for the Parks and Recreation Department.) Low bid of seven (7). 17.71% MBE, 2.84% WBE Subcontractor participation.  
Approved
35. Authorize acceptance of \$200,000 in grant funds from National Park Service and a 10% match of \$25,000 from Texas Parks and Wildlife Department for rehabilitation of Montopolis Park. (Funding in the amount of \$200,000 is available from National Park Service; \$25,000 from Texas Parks and Wildlife Department; \$25,000 City match appropriated in the Parks and Recreation Department Montopolis Playscape CIP project. All funding included in the 1994-95 Capital budget for the Parks and Recreation Department.)  
Approved

Items 31-35 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

36. Approve a construction contract award to CAPITAL EXCAVATION COMPANY, Austin, Texas, for the construction of water line improvements in Chicon Street from East 11th to Rosewood Avenue, in the amount of \$159,672.50. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low bid of four (4). 0.94% MBE, 1.73% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 4-1 vote, Councilmember Mitchell voting No, Councilmember Goodman out of the room, Mayor Pro Tem Nofziger absent.

37. Approve a construction contract award to CHEROKEE CONSTRUCTION COMPANY (MBE), Austin, Texas, for the construction of water and wastewater improvements on Martin Luther King, Jr. Boulevard from Pearl Street to Colorado Street, in the amount of \$995,927.75. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low bid of two (2). 22.09% MBE, 6.02% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
Deleted

38. Approve the adoption of an Official Declaration of Intent to Reimburse acquisition and construction cost of the FY 1994-95 Capital Improvements Projects for the City of Austin Water and Wastewater Utility. (No fiscal impact.) [Recommended by Water and Wastewater Commission]  
Approved

39. Approve execution of a contract with WILTEL COMMUNICATIONS SYSTEMS, INC., Austin, Texas, for the purchase of a PBX Telephone System for the Water and Wastewater Utility's Service Center located at 901 Koenig Lane, in an amount not to exceed \$45,659. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Single bid. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)  
Approved

Items 38-39 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

40. Approve negotiation and execution of an amendment to the Interlocal Agreement for Temporary Out-of-District Utility Service with Southwest Travis County MUD #1 to terminate temporary out-of-district service commitments for Oconomowoc East Subdivision, authorize temporary out-of-district water and wastewater service to Oconomowoc West Subdivision by Southwest Travis County MUD #1 and modify the quantity, level and conditions for temporary out-of-district utility service to Oconomowoc West; approve termination of Water Service Extension Request No. 1430 previously approved for Oconomowoc East. (Estimated annual revenue is \$5,100.) [Recommended by Water and Wastewater Commission]

Approved with 16-inch limitation to permanent water lines installed to serve Oconomowoc East and Oconomowoc West on Councilmember Shea's motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

41. Approve a construction contract award to AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the construction of sidewalks and Americans With Disabilities Act (ADA) ramps throughout the City for the Child Safety Sidewalk Improvements Project, in the amount of \$243,354.50. (Funding is available in the 1994-95 operating budget of the Child Safety Fund of the Public Works Department.) Low bid of four (4). 10.11% MBE, 5.08% WBE Subcontractor participation.  
Approved

42. Approve execution of a contract award to GARCIA GENERAL CONTRACTORS, INC., (MBE), Austin, Texas, for construction of curb ramps located within the boundary streets of Mopac and North Lamar Boulevard, U.S. Highway 183 to West 38th Street, to comply with the Americans With Disabilities Act (ADA), in the amount of \$278,000. (Funding was included in the 1994-95 Capital budget of the Public Works and Transportation Department.) Low bid of six (6). 10.07% MBE, 5.03% WBE Subcontractor participation.  
Approved

43. Approve a contract award to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, (TIBH), Austin, Texas, for vegetation control in creeks and detention/sedimentation ponds, and for hauling of excessive vegetation and debris from work performed by City crews, in the amount of \$750,000. (Funding is available in the 1994-95 Drainage Utility operating budget.) [Reviewed by Environmental Board]  
Approved

Items 41-43 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

44. Approve the selection of ROSENGARTEN, SMITH & ASSOCIATES, INC., Austin, Texas, for negotiation and execution of a contract for Phase II Environmental and Geological Testing Services to complete a New City Hall Programming Study, in the amount of \$86,000. (Funding was included in the 1993-94 Amended Capital budget of the Public Works and Transportation Department.) Best proposal of seven (7). 34% MBE, 19% WBE Subconsultant participation.

Approved on Councilmember Garcia's motion, Councilmember Shea's second to eliminate wording ....to complete a New City Hall Programming Study....4-2 vote, Councilmembers Mitchell and Reynolds voting No, Mayor Pro Tem Nofziger absent.

45. Approve execution of a contract with ENVIRO-QUIP, INC., Austin, Texas, for the purchase of Mobile Belt Press Dewatering Equipment for the Hornsby Bend Wastewater Treatment Plant, in the amount of \$395,017. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low responsive bid of three (3). 0% MBE, 4.9% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
Approved

46. Approve a construction contract award to MCLEAN CONSTRUCTION, INC., Killeen, Texas, for the construction of the Anderson Mill Transmission Main, Phase I and Jollyville Transmission Main, Phase IIIA, in the amount of \$2,217,453.50 plus a contingency fund of \$221,745.35 for change orders. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of six (6). 13.62% MBE, 5.09% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
Approved

47. Approve a construction contract award to CHEROKEE CONSTRUCTION, (MBE), Austin, Texas, for the relocation of wastewater lines along Lamar Boulevard from Airport Boulevard to Morrow Street, in the amount of \$518,283.85. Low bid of two (2). 12.35% MBE, 5.40% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission) (Funding was included in the 1991-92 Capital Budget of the Water and Wastewater Utility).  
Approved

48. Approve Change Order No. 6 to HILMAN CONSTRUCTORS, INC., Austin, Texas, for the addition of air curtains to the passenger drop-off side of the terminal as part of the Terminal Rehabilitations Project at Robert Mueller Municipal Airport, in the amount of \$40,690.53 for a total contract amount of \$800,483.66. (Funding was included in the 1993-94 Approved Capital budget of the Aviation Department.) No DBE Subcontracting opportunities were identified. (Reviewed by the Airport Advisory Board)  
Approved
49. Approve execution of a twelve (12) month supply agreement with TRAFFIC ENGINEERING & CONTROLS, INC., (MBE), Centerville, Texas, for the purchase of traffic controllers, in an amount not to exceed \$247,080 with two (2) twelve (12) month extension options in the amount of \$247,080 per extension, for a total amount of \$741,240. (Funding was included in the 1994-95 Capital budget of the Public Works Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.  
Approved
50. Approve execution of a contract with TEX-CON OIL COMPANY, Austin, Texas, for the supply and installation of four (4) concrete vaulted above-ground fuel storage systems, in an amount not to exceed \$37,730. (Funding is available in the 1994-95 Fleet Maintenance Fund.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.  
Approved
51. Approve a construction contract award to SAFARI DEVELOPMENT, Austin, Texas, for construction of additions to Emergency Medical Aid Stations No. 4, 8, 10 & 18 at existing Fire Stations, in the amount of \$789,000. (Funding was included in the 1992-93 Capital Budget for Emergency Medical Services). Low bid of four (4). 31.10% MBE, 13.51% WBE Subcontractor participation.  
Approved
52. Approve negotiation and execution of a contract with M. CRANE AND ASSOCIATES (WBE), Austin, Texas, to conduct a market survey and analysis to determine the potential market and economic feasibility of the proposed Central City (Rosewood) Entertainment Center, in an amount not to exceed \$54,700. (Funding was included in the 1994-95 General Government Capital budget.) Best proposal of two (2). No M/WBE Subcontracting opportunities were identified.  
Approved
53. Approve authorization and execution of two (2) twelve (12) month contracts with: UNITED DENTAL CARE OF TEXAS, Dallas, Texas, to provide a managed care dental maintenance organization dental plan for City of Austin retirees, in an amount not to exceed \$39,000 and DENTICARE/UNILIFE, Sugar Land, Texas, to provide an indemnity dental plan for City of Austin retirees, in an amount not to exceed \$33,000 with two (2) twelve (12) month extension options in an amount not to exceed \$76,500, \$41,000 for United Dental Care of Texas and \$35,500 for



Denticare/Unilife for the first extension option and in an amount not to exceed \$81,200, \$43,000 for United Dental Care of Texas and \$38,200 for DentiCare/Unilife for the second extension option. Total amount for the two contracts in an amount not to exceed \$229,700. (Funding is the amount of \$29,250 is available in the 1994-95 operating budget of the Employee Benefits fund. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of two (2) meeting requirements. 10% MBE, 5% WBE Subcontractor participation.  
Approved

Items 45-53 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

54. Approve amendments to the Personnel Policies.

Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 5-1 vote, Councilmember Mitchell voting No, Mayor Pro Tem Nofziger absent.

55. Approve the filing of eminent domain proceedings to acquire fee simple interest to three parcels of land containing 202.195 acres of land out of The Santiago Del Valle Grant Ten League Survey, Abstract No. 24 in Travis County, Texas, owned by Jim Pearce Johnson, for the Land Acquisition Program, New Austin Airport at Bergstrom Project. (Appraised value is \$290,000).  
Approved

56. Approve negotiation and execution of a twelve (12) month professional services agreement contract award with AUSTIN TRAUMA ASSOCIATES, Austin, Texas, to provide in-house trauma surgery services at Brackenridge Hospital, in an estimated amount of \$1,340,000 including an option to extend thereafter for up to four (4) additional twelve (12) month periods in estimated amounts of \$1,474,000,, \$1,621,400, \$1,783,540 and \$1,961,894 respectively, for a total amount not to exceed \$8,180,834. (Funding in the amount of \$1,340,000 is available in the 1994-95 operating budget of Brackenridge Hospital; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of four (4). No M/WBE Subcontracting opportunities were identified. (Recommended by Hospital Board)  
Approved

57. Approve execution of a one (1) year interim contract with CAPITAL ANESTHESIOLOGY ASSOCIATION, Austin, Texas, to provide for anesthesia services at Brackenridge Hospital, in an amount not to exceed \$1,350,000. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital.) No M/WBE Subcontracting opportunities were identified.  
Approved

58. Approve negotiation and execution of a fifth amendment to the contract with the Austin Hospital Authority to provide a time extension from the current termination

date of October 31, 1994, to December 31, 1994. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital.)

Approved

Items 55-58 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

59. Approve negotiation and execution of a two (2) year contract with DRZ JOINT VENTURE, D.M. DUKES AND ASSOCIATES (DBE), and RZ AND ASSOCIATES, (DBE), Austin, Texas, to provide recruiting and outreach services to refer small and Disadvantaged Business Enterprise (DBE) contractors to provide work for the New Airport Project (NAP), in an amount not to exceed \$432,441, with three (3) one (1) year extension options in amounts not to exceed \$225,998, \$232,778 and \$239,762 respectively, for a total amount not to exceed \$1,130,979. (Funding was included in the 1993-94 Capital Budget for Aviation; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of six (6). No M/WBE Subcontracting opportunities were identified. Postponed until November 3, 1994
60. Approve negotiation and execution of a two (2) year contract with MARSH & McLENNAN, San Antonio, Texas, for administrative services for an owner controlled insurance program (OCIP), for the New Airport Project (NAP), in an amount not to exceed \$1,340,874, with three (3) one (1) year extension options, in an amount not to exceed \$737,630.67 per extension, for a total amount not to exceed \$3,553,716. (Funding was included in the 1993-94 Capital Budget for Aviation; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of eight (8). DBE Subcontractor participation: 35% (35% MBE, 0% WBE). Postponed until November 3, 1994
61. Approve negotiation and execution of a two (2) year contract with ROLLINS HUDIG HALL AGENCY OF TEXAS, INC., and BONDS AND INSURANCE SERVICES, INC., (DBE), Dallas, Texas, to provide technical business assistance, bonding, financing and training services to small contractors and construction suppliers for the New Airport Project (NAP), in an amount not to exceed \$1,627,208, with three (3) one (1) year extension options in amounts not to exceed \$963,819 per extension, for a total amount not to exceed \$4,518,665. (Funding was included in the 1993-94 Capital Budget for Aviation; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of nine (9). DBE Subcontractor participation: 84.6% (48.9% MBE, 35.7% WBE). Postponed until November 3, 1994.

Items 59-61 delayed on Councilmember Reynolds' motion, Councilmember Mitchell's second, 5-0 vote, Mayor Todd and Mayor Pro Tem Nofziger absent.

62. Accept the assignment of 220 vendor agreements from Austin Families, Inc., with child care providers participating in the Texas Department of Human Services Child Care Management System (CCMS), in the total estimated value of \$7,500,000; and

authorize amendment of these agreements to provide extension options through December, 1999, in accordance with CCMS regulations. (Funding was included in the 1994-95 Special Revenue Fund for the Health and Human Services Department.)

Approved

63. Set a public hearing to approve temporary use of RBJ Park on Town Lake by the Health and Human Services Department during Communicable Diseases Control Project on the first floor of the Rebekah Baines Johnson Building, 15 Waller Street. (Funding in the amount of \$75,000 for site work was included in the 1994-95 Capital Budget for the Health and Human Services Department.) [Recommended by Parks Board] (Suggested date and time: November 17, 1994 at 4:30 p.m.)  
Approved

#### ITEMS FROM COUNCIL

64. Amend Ordinance No. 940912-C (Fee Ordinance) to reduce Junior and Senior golf fees by \$.50. (Councilmembers Gus Garcia and Brigid Shea)  
Ordinance No. 941020-J approved
65. Approve a resolution pledging Bipartisan support of Operation 100%, a program designed to encourage every voter to vote in the November 8, 1994 election. (Mayor Bruce Todd and Councilmembers Jackie Goodman and Gus Garcia)  
Approved
66. Approve a resolution directing the City Manager to develop options for the Child Care/Foster Home permit fee. (Councilmember Jackie Goodman)  
Approved
67. Approve an ordinance amending Chapter 10-7 of the Code of the City of Austin, 1992, as amended (Curfew Ordinance) to extend city-wide the offense and defense regarding owners and operators of establishments. (Councilmember Eric Mitchell and Mayor Bruce Todd)  
Ordinance No. 941020-K approved

Items 62-67 approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

#### 3:00 P.M. - ELECTRIC UTILITY (Items 68-92)

68. Electric Utility Commission Report - John Moore
69. Resource Management Commission Report - Mike Meyers
70. Monthly Management Report - John Moore

71. Approve execution of a contract with TSE INTERNATIONAL, INC., Shreveport, Louisiana, for the purchase of a 15,000 pound trailer-mounted cable puller used for the installation of overhead transmission lines in the Transmission Section of the Electric Utility Department, in the amount of \$129,000. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of two (2). No M/WBE Subcontractor participation.  
Approved
72. Approve execution of a contract with HENDRIX GMC TRUCKS, INC., Austin, Texas, for the modification to the 55 foot and 65 foot aerial tower axles, chassis and truck bodies, in the amount of \$229,840. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Single bid. No M/WBE Subcontractor participation.  
Approved
73. Approve the adoption of an Official Declaration of Intent to Reimburse acquisition and construction costs of the 1994-95 Capital Improvements Projects for the City of Austin Electric Utility Department. (No fiscal impact.)  
Approved
74. Approve a contract award to MMR-RADON CONSTRUCTORS, INC., Baton Rouge, Louisiana, for the installation of Distributed Control Systems and Burner Management Systems at Holly Units 3 and 4, in the amount of \$2,336,000, with a \$584,000 contingency fund to be used for change orders, for a total amount not to exceed \$2,920,000. (Funding was included in the approved 1994-95 Capital budget of the Electric Utility Department.) Low bid of four (4). 10.06% MBE, 7.26% WBE Subcontractor participation.  
Approved
75. Authorize additional professional services agreement funding to TIPPET AND GEE, INC., Abilene, Texas, for continuing engineering services for the Power Plants Improvements Projects, in the amount of \$900,000 for the 1994-95 contract year and \$700,000 for the 1995-96 contract year, for a total additional authorization of \$1,600,000 and a maximum contract amount of \$9,100,000. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.)  
Approved
76. Approve Change Order No. 4 with SAFARI COMPANY, INC., Austin, Texas, for additional handrail installation and mechanical room framing, as part of the Relay Construction Service Building Renovations, 300 West Avenue, in the amount of \$3,163, for a total contract amount of \$389,180. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) 29.55% MBE, 1.67 WBE Subcontractor participation.  
Approved
77. Approve a construction contract award to LAUREN CONSTRUCTORS, INC., Norcross, Georgia, for the installation of sound absorption walls, enclosures, mufflers, and

silencers for the Holly Power Plant Noise Mitigation Phase II project, in the amount of \$1,246,600. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Single bid. 12.93% MBE, 5.21% WBE Subcontractor participation.  
Approved

78. Approve execution of a contract with CHUBB SECURITY SYSTEM, Austin, Texas, for the purchase and installation of a card reader security system to replace and enhance the current system for the Electric Utility Department, in an amount of \$65,969.77. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontractor participation.  
Approved

Items 71-78 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

79. Approve execution of a contract with IBM CORP., Austin, Texas, for the purchase and installation of an uninterruptible power supply system and design and installation of a signal reference grid for the Town Lake Center, in an amount of \$71,053. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Single bid. 27% MBE, 0% WBE Subcontractor participation.

Approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 5-0 vote, Councilmember Reynolds abstaining, Mayor Pro Tem Nofziger absent.

80. Approve execution of a contract and ten (10) week supply agreement with PATENT SCAFFOLDING COMPANY, Dallas, Texas, for scaffolding services at the Holly Power Plant, in the amount of \$76,310 with the option to extend the supply agreement for up to six (6) weeks in the amount of \$20,136, for a total amount of \$96,446. (Funding in the amount of \$35,685 is available in the 1994-95 operating budget of the Electric Utility Department. \$60,761 was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.  
Approved

81. Approve execution of a contract with SCREENING SYSTEMS INTERNATIONAL, INC., Monticello, MS, for the repair of the traveling water screens at the Holly and Decker Power Plants, in the amount of \$83,584.00 (Funding is available in the 1994-95 Utility operating budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.  
Approved

82. Approve execution of an intergovernmental agreement with the Department of Energy, Bonneville Power Administration, Vancouver, Washington, for electrical tests and disassembly of four (4) General Electric, type U, circuit breaker bushings at the

Holly Power Plant, in an amount not to exceed \$12,100. (Funding is available in the 1994-95 operating budget of the Electric Utility.)  
Approved

Items 80-82 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

83. Approve execution of a twelve (12) month service agreement with MASHBURN TRUCKING INC., Ft. Worth, Texas, for heavy hauling services to complete Substation and Transmission Capital Improvement Programs, in the amount of \$121,080 with the option to extend for two (2) twelve (12) month periods in the amount of \$121,080 for each period, for a total amount of \$363,240. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of two (2) meeting specifications. No M/WBE Subcontracting opportunities were identified.  
Deleted
84. Approve execution of a contract with GRAYBAR ELECTRIC COMPANY, INC., Austin, Texas, for the purchase of a metal-clad switchgear unit, spare parts, and training services, in the amount of \$56,109. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of ten (10). No M/WBE Subcontracting opportunities were identified.  
Approved
85. Approve execution of a contract with J. GRAVES INSULATION COMPANY, INC., Shreveport, Louisiana, to provide abatement services for the removal of asbestos containing material and reinsulation of equipment and piping at Holly Power Plant Unit No. 2, in the amount of \$143,372.59. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.  
Approved

Energy Rebates (Items 86-91)

86. Approve the issuance of a Letter of Intent and a rebate in the amount of \$40,398.80 to Kemp Management for the installation of high efficiency lighting equipment at the 823 Congress Building. This lighting conversion equipment installation will save an estimated 132.65 kilowatts at a cost of \$304.55 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved
87. Approve the issuance of a Letter of Intent and a rebate in the amount of \$37,812.00 to the State of Texas General Services Commission for the installation of a high efficiency lighting conversion system at the J.H. Winters Complex, 701 W. 51st Street. This lighting conversion equipment installation will save an

estimated 243.36 kilowatts at a cost of \$155.37 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved

88. Approve the issuance of a Letter of Intent and a rebate in the amount of \$56,251.80 to the State of Texas General Services Commission for the installation of a high efficiency lighting conversion system at the Stephen F. Austin Building, 1700 North Congress Avenue. This lighting conversion equipment installation will save an estimated 372.29 kilowatts at a cost of \$151.10 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved
89. Approve the issuance of a Letter of Intent and a rebate in the amount of \$37,506.90 to the State of Texas General Services Commission for the installation of a high efficiency lighting conversion system at the W. B. Travis Building, 1701 North Congress Avenue. This lighting conversion equipment installation will save an estimated 245.32 kilowatts at a cost of \$152.89 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved
90. Approve the issuance of a Letter of Intent and a rebate in the amount of \$106,395.00 to the State of Texas for the installation of a high efficiency lighting conversion system at the Department of Health Building, 1100 West 49th Street. This lighting conversion equipment installation will save an estimated 484.45 kilowatts at a cost of \$219.62 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved
91. Approve the issuance of a Letter of Intent and a rebate in the amount of \$55,680.60 to the State of Texas General Services Commission for the installation of a high efficiency lighting conversion system at the W.P. Clements Building, 300 West 15th Street. This lighting conversion equipment installation will save an estimated 370.40 kilowatts at a cost of \$150.33 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved
92. Approve execution of three (3) one (1) year supply agreements for natural gas with ENSERCH GAS COMPANY, Dallas, Texas; DELHI GAS MARKETING CORPORATION, Dallas, Texas; and MOBIL NATURAL GAS, INC., Houston, Texas, to provide fuel for the City's electric generating plants over the one (1) year term commencing on November 1, 1994, in the estimated amount of \$17,837,802, with the option to extend each

contract for up to two (2) additional one (1) year terms. The estimated totals for the extensions are \$19,746,153 for the second year (Enserch \$6,354,847, Delhi \$6,658,720, Mobil \$6,732,586), and \$20,331,939 for the third year (Enserch \$6,543,369, Delhi \$6,856,256, Mobil \$6,932,314), for a total estimated amount of \$57,915,894. (Funding will be provided through Electric Fuel Charge revenue.) Low bids of twenty-two (22). No M/WBE Subcontracting opportunities were identified.

Approved

Items 84-92 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

#### 4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

93. C14-94-0116 - EMBREY INVESTMENTS (Roger Bowler), by Embrey Investments (Mike Weynand), 6000 S. Mo-pac Expressway SB. From MF-2-CO to GR. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay, and subject to the following conditions: (1) prohibit service station use; and (2) compliance with the Integrated Pest Management Program (I.P.M.).

Ordinance No. 941020-L approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

94. C814-94-0001 - INEZ & TAYLOR GAINES (Jimmy Gaines), by Walter Vacker Development (Ron Reue), 4100 to 4898 South MoPac Expressway. From I-RR to PUD. Planning Commission Recommendation: To Grant PUD, Planned Unit Development subject to: To Grant PUD, Planned Unit Development, zoning subject to the following conditions: (1) The development shall be subject to the attached Land Use Plan dated September 22, 1994 (Attachment "A"). (2) The conditions stated in George Zapalac's transportation memorandum dated September 19, 1994 ( Attachment "B"). (3) The compatibility standard waiver recommendations as outlined in Katherine Loayza's memorandum dated September 22, 1994 (Attachment "C"). (4) The agreement to provide public access and parking to the Barton Creek Wilderness Park (Attachment "D"). (5) The environmental features included in the motion approved by the Environmental Board (Attachment "E"). Further subject to: (1) limit height to 75 feet on the southern half of Area 1; (2) impervious cover, total amount of parking and square footage to remain the same; and (3) any reduction in the building footprint be allowed for pedestrian amenities.

Public Hearing closed on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

1st reading approved on Councilmember Garcia's motion, Councilmember Reynolds' second, with a Friendly amendment offered by Councilmember Goodman and accepted to limit height to 60 feet, 6-0 vote, Mayor Pro Tem Nofziger absent.



95. C14-94-0041 - CITY OF AUSTIN-PLANNING & DEVELOPMENT DEPARTMENT, 11866 to 11982 Jollyville Road, 11800 to 11813 Columbia Oaks Drive, 6500 to 6504 J Gregg Cove, and 6500 to 6507 Columbia Oaks Court. From I-LI-PDA to SF-6 for Tract 1, SF-3 for Tract 2, SF-6-CO for Tract 3, GO for Tract 4, LI-PDA for Tract 5, and GO-CO for Tract 6. Planning Commission Recommendation: To Grant Tract 1 - SF-6, Townhouse & Condominium Residence, Tract 2 - SF-3, Family Residence, Tract 3 - SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay, Tract 4 - GO, General Office, Tract 5 - LI-PDA, Limited Industrial Services-Planned Development Area, Tract 6 - GO-CO, General Office-Conditional Overlay. Tract 3 and 6 shall have no access to Woodcrest Drive. The LI-PDA zoning recommended for Tract 5 shall be subject to the following conditions: (1) The performance standards outlined in Section 13-2-269, "Performance Standards Applicable in a PDA District", of the Land Development Code (Attachment "A"). (2) No access to Woodcrest Drive. (3) Prohibit the following uses: General Warehousing and Distribution, Recycling Center, Resource Extraction, Stockyards, Scrap and Salvage Services, Restaurants (general, limited, drive-in/fast food), General Retail Sales (general and convenience), Vehicle Storage, Stable, Outdoor Entertainment, Indoor Entertainment, Outdoor Sports and Recreation, Indoor Sports and Recreation, Agricultural Sales and Services, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (all types), Campground, Construction Sales and Services, Equipment Repair Services, Equipment Sales, Exterminating Services, Funeral Services, Kennels, Laundry Services, Theater, and Service Station.

Ordinance No. 941020-M approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

96. C14-94-0113 - F.M. PROPERTIES OPERATING CO. (Ernest E. Howard), by Strasburger & Price, L.L.P. (David Armbrust), Rialto Boulevard. From CS to MF-2. Planning Commission Recommendation: To Grant MF-2, Multifamily Residence (low density) and RR, Rural Residence for the 100-year floodplain along the south property line. Postponed for 3 weeks as requested by applicant
97. C14-94-0119 - LYS CORP. (Lily Saad), by Management Specialties (James Lee), 8100-8106 Brodie Lane. From LR & SF-3 to CS. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning limited to laundry services (direct to customer) of less than 2,000 square feet of floor space and all other LR, Neighborhood Commercial uses.

Ordinance 941020-N approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

98. C14-94-0121 - GRETCHEN W. M. ALLEY, by Rod Arend, 1400 West 6th Street. From SF-3 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, zoning subject to dedication of up to 5' for sidewalk or public utility easement from the east property line and prohibiting access to West 6th Street.

1st reading approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

99. C14-94-0110 - EBENEZER BAPTIST CHURCH (Rev. Marvin C. Griffin), by Mathias Co. (Richard Mathias), 1015 East 10th Street. From SF-3 to MF-2. Planning Commission Recommendation: To Grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, zoning subject to: (1) limit development to permitted SF-3 uses and Retirement Housing, and (2) limit height to 25 feet or one story, whichever is less.

TO BE HEARD BY PLANNING COMMISSION 10-18-94, RECOMMENDATION TO FOLLOW

1st reading approved on Councilmember Shea's motion, Councilmember Garcia's second, 5-0 vote, Councilmember Mitchell out of the room, Mayor Pro Tem Nofziger absent.

100. C14-80-052 - CALGARY SQUARE ASSOCIATES (Michael Yancey), by Austin Real Management Services (Kevin Smith), 1604 Wheless Lane. Request termination of the restrictive covenant. Planning Commission Recommendation: To approve the request for termination of the restrictive covenant (consent). 6-0.

Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

101. 4:30 P.M. - Amend the Austin City Code by adding Section 13-5-24 (c) to the Land Development Code to require a "Cut Permit" prior to any excavation within the Public Right-of Way.

Public Hearing closed on motion by Councilmember Shea's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Goodman out of the room, Mayor Pro Tem Nofziger absent.

Ordinance 941020-0 approved on Councilmember Shea's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Goodman out of the room, Mayor Pro Tem Nofziger absent.

102. 6:30 p.m. - Approve an Ordinance changing the name of the Central Library to "The John Henry Faulk Library." (Recommended by Library Commission) (Mayor Pro Tem Michael "Max" Nofziger and Councilmember Jackie Goodman)

Public hearing closed on Councilmember Goodman's motion, Councilmember Shea's second, 5-0 vote, Mayor Todd and Mayor Pro Tem Nofziger absent.

Ordinance No. 941020-P approved on Councilmember Goodman's motion, Councilmember Shea's second, 5-0 vote, Mayor Todd and Mayor Pro Tem Nofziger absent.

**EXECUTIVE SESSION (No Public Discussion on These Items)**

Executive Session was held on the morning of this date.

Executive Session was held from 6:15 P.M. until 7:10 P.M. on items 103, 105, 106, and 107.

Executive Session was held from 10:00 P.M. until 10:09 P.M. on items 110 and 111.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on this agenda.

**Pending/Contemplated Litigation - Section 551.071**

103. Discuss Aurelio Sanchez, et al v. The City of Austin, et al; Cause No. 93-03972, in the 98th Judicial District Court of Travis County, Texas.
104. Discuss Phillip Gutierrez, et al v. Mobil Oil Corporation, et al; Cause No. 92-04889.  
Deleted
105. Discuss Circle C Land Corporation v. City of Austin; Cause No. 94-08128.
106. Discuss FM Properties Operating Company v. City of Austin; Cause No. A-94-CA-647-JN.
107. Discuss Jerry J. Quick et al v. City of Austin; Cause No. 92-0637.
108. Discuss City of Austin v. Neighborhood Housing Consortium et al, in the District Court, Travis County, Texas, 299th Judicial District, Cause No. 94-03203.

**Advice from Counsel - Section 551.071**

109. Seek advice of legal counsel regarding the repayment to the U.S. Department of Housing and Urban Development ineligible or potentially ineligible Community Development Block Grant program expenditures.

**Land Acquisition - Section 551.072**

110. Discuss fee simple acquisition of real property for the New Airport Project.

111. Discuss fee simple acquisition of real property for the Creek Bend Flood Control Project.

**ACTION ON THE FOLLOWING**

112. Approve settlement of Aurelio Sanchez, et al v. The City of Austin, et al; Cause No. 93-03972.

Approved an amount of \$96,560.00 on Councilmember Mitchell's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Todd and Mayor Pro Tem Nofziger absent.

113. Authorize fee simple acquisition of real property located at 5414 FM 973 South, Del Valle, Texas, for the New Airport Project and associated relocation costs.

Approved purchase price of \$60,000.00 and associated relocation costs not to exceed \$61,418.00

114. Authorize fee simple acquisition of real property located at 5618 FM 973 South for the New Airport Project and associated relocation costs.

Approved purchase price of \$384,522.00 and associated relocation costs not to exceed \$108,985.00

115. Authorize fee simple acquisition of real property located at 9712 Burleson Road, Del Valle, Texas, for the New Airport Project and associated relocation costs.

Approved purchase price of \$125,000.00 and associated relocation costs not to exceed \$97,091.00

116. Authorize fee simple acquisition of real property located at 10010 Burleson Road for the New Airport Project and associated relocation costs.

Approved purchase price of \$461,000.00 and associated relocation costs not to exceed \$66,000.00.

117. Authorize fee simple acquisition of real property located at 5016 Johnson Road for the New Airport Project and associated relocation costs.

Approved purchase price of \$30,500.00 and associated relocation costs not to exceed \$66,849.00.

118. Authorize fee simple acquisition of real property local at 4733 Teewood, Austin, Texas, for construction of the Creek Bend Flood Control Project.

Approved purchase price of \$80,130.00 and associated relocation costs not to exceed \$15,000.00

Items 113-118 approved on Councilmember Mitchell's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Todd and Mayor Pro Tem Nofziger absent.

119. APPOINTMENTS

ARTS COMMISSION - Valerie Menard, Russ Smith, and Marilyn Good  
CITIZENS COORDINATING COMMITTEE - Kurt Shaw, AISD Rep.  
CONSTRUCTION ADVISORY COMMITTEE - Gail Borst  
DOWNTOWN COMMISSION - Cathy Vasquez, Planning Commission Rep.; Perry Lorenz, Design Commission Rep.; Jerry Shaw, Historic Landmark Commission Rep.; Marianne Dwight, PARKS Board Rep.; John Hickman, Urban Transportation Rep.; Marilyn Good, Arts Commission Rep.; Edward Baldwin, Economic Development Commission Rep.; Tim Garbutt, Music Commission Rep.; Betty Trent, R/UDAT Rep.; John Nyfeler, Greater Austin Chamber Rep.; Ethel Kelly, Capital City Chamber Rep.; Beatrice Fincher, Women's Chamber Rep.; Alan Graham, Urban Land Institute Rep.; Jim Smith, AARO Rep.; Diane Valera, Ole Mexico Rep.; Leonard Mann, 11th Street Village Rep.  
ELECTRICAL BOARD - Melissa McCartney  
ETHICS REVIEW COMMISSION - Mary Nell Mathis nominated by Councilmember Shea for confirmation  
HISTORIC LANDMARK COMMISSION - Jerry Shaw, Lauretta Dowd, Joseph Galindo  
HUMAN RIGHTS COMMISSION - Dorothy Turner  
LIBRARY COMMISSION - Mimi McKay  
MH/MR CENTER BOARD OF TRUSTEES - Michelle Brinkman, Robert Chapa  
MUSIC COMMISSION - Jill McGuckin  
RENAISSANCE MARKET COMMISSION - Robert Edgecomb  
WATER & WASTEWATER COMMISSION - Lanetta Cooper, Darwin McKee

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger absent.

Downtown Commission - Carlie Saunders, Downtown Residents Rep.; Fred Robinson, Downtown Management Organization Rep.

Approved on Councilmember Goodman's motion, Councilmember Reynolds' second, 4-0 vote, Councilmember Shea out of the room, Mayor Todd and Mayor Pro Tem Nofziger absent.

**ZONING (continued)**

120. C14-94-0097 - PECAN GROVE J.V. II (John Foster), by JADCO (Joe DiQuinzio, Jr.), 7400 Block South Congress Ave. From DR to MF-3. Planning Commission Recommendation: To grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, zoning, subject to the following conditions: (1) limit density to 17 units per acre; (2) provide a 50 foot undisturbed buffer along the west property line; (3) prohibit development within the floodplain; (4) prohibit access to Loganberry Lane; and (5) dedicate 90 feet of right-of-way from the existing centerline of Dittmar Drive.  
Continued to November 3, 1994 at the request of staff

**RECESSED** from 6:15 P.M. until 7:10 P.M. for executive session on items 103, 105, 106, and 107.

**RECESSED** from 10:00 P.M. until 10:09 P.M. for executive session on items 110 and 111.

**ADJOURN** At 10:15 P.M. on Councilmember Mitchell's motion, Councilmember Shea's second, 5-0 vote, Mayor Todd and Mayor Pro Tem Nofziger absent.

Approved this 3<sup>rd</sup> day of November, 1994, on Councilmember Mitchell's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Garcia out of the room.